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Islaamic laws and regulation for children

Preface

All praise is due only to Allaah. We laud Him and beseech His aid and beg forgiveness only from Him and believe in Him and rely solely on Him. We seek salvation in Him from the evils of our inner selves and the vices of our actions. There is none to misguide one whom Allaah intends to guide. I bear witness that there is no one worthy of worship but Allaah, the One who has no partner. I also testify that Hadhrat Muhammad ρ is the faithful servant and the Last Rasul of Allaah. May Allaah Ta'ala's mercy be on him, his family and his Sahabaah τ and may He bless them and raise their status.

By the grace of Allaah, Jallaah Majdahu, the booklet in your hands in one of the first in the English language.

The author has penned the laws relating to children. Laws pertaining to:
1.) Imaan and Belief
2.) Tahaarat (purity)
3.) Birth
4.) Circumcision
5.) Aqeeqah
6.) Salaat
7.) Zakaat
8.) Hajj
9.) The death of children by mistake and its recompensation
10.) Clothing
11.) Their toys, etc have been adequately detailed.

We make duaa this work is a stepping stone and foundations for more detailed ones to follow. Once an avenue of research has been opened generally the flood gates open, enlightening us with further information.

We request readers not to forget us in their duaas.

A. H. Elias
1426 / 2005

Masaa'il pertaining to Imaam and Aqaa'id (beliefs)

1.) Ta'weez (amulets) for children.

Question: Many people put amulets and numeral equivalents of Quraanic Aayats around the necks of new born babies, due to which they maintain that the child will remain in good health and protection. What is the Islaamic ruling regarding this?
Answer: Firstly, understand that Ta'weez, are of few types. Some are made up of verses from the Quraan; some contain strange words of unknown meaning. There is a third type which contain words of Shirk and Kufr (disbelief).

To use the first type is Jaa'iz (permissible) as this is proven from the actions of Sahaabah τ and Rasulullah ρ himself permitted it. (Ref: Saheeh Muslim, Miskhaat pg 388)

The renowned scholar, Allamah Taurpishti (A.R) has written that the prohibition from use of amulets in Hadith refers expressly to the amulets containing wordings of Shirk and sorcery. Rasulullah ρ permitted the use of the first type. Hadhrat Abu Hurairah τ asked Rasulullah ρ what to read and blow for the general body. Since the Ulamaa have not forbidden it, the rule will be of permissibility.

However, it is necessary to guard one's belief in this regard. Ta'weez in itself cannot bring benefit or good luck to anyone. This Aqeedah (belief) is false.

Rather than use of the Aayat of Quraan in this way is a form of Duaa. On the acceptance of this Duaa, Allah Ta'alaa will cause affect.

To consider any type of charm or amulet as affective in itself is a form of Shirk. This belief is thus Haraam (forbidden).
The second and third type of Ta'weez or any Ta'weez of a non-believer is totally forbidden in Islaam.

It is also advised that any Quraanic verse be laminated and covered properly so that no chance/objection of disrespect arises, just as if a person mistakenly enters a toilet with a verse of the Quraan, he will not be sinful, on condition that the Aayat is safely tucked away. (Ref: Shaami).

2.) Will children intercede for their parents?

Question: Will children who pass away in infancy intercede for their parents and grandparent?
Answer: Yes. This is established from several Ahadith.
However their intercession for the grandparent is not narrated anywhere.

3.) The reality of the evil-eye?

Question: What is the reality of Nazr (evil-eye)?
Answer: The meaning of "Ain" or "Nazr" is to cause harm to someone by ones gaze. Its reality is this, that an evil person sees something and desires it. This person's evil gaze, couples with his evil intention causes harm to another. For this reason Allah commanded his Rasul ρ to seek refuge from evil of a jealous/envious person.

Every evil-eyed person is a Haasid (envious person), but every Haasid is not necessarily evil eyed.

So seeking refuge from Haasid necessarily entails seeking refuge from Nazr. Nazr is like an arrow which emanates from the evil, dirty

nafs of a Haasid. It sometimes affects its target and sometimes does not.
If the target is protected, then it is not affected, & it is open then it will be affected (Zaad-ul-Mu'aad)

This subject matter had been discussed in several Ahadith.
Aa'siah τ has narrated that Rasulullah ρ instructed me to do treatment from Nazr (by doing i.e. reading and blowing) (narrated by Bukhari and Muslim) another Hadith has it: "Nazr is a reality" if anything could suppress Taqdeer (destiny) then Nazr would be it!"

Rasulullah ρ would instruct the person with an evil-eye to bath and then order the afflicted to bath with that water" (as a form of treatment).

This has been narrated in a lengthy Hadith by Sahl bin Hunaif τ which has been recorded in Musnad Ahmad, Nasai and Mu'atta.

Rasulullah ρ has mentioned, "Apart from the decree of Allah, many of my Ummat will fall victim to Nazr" (Bazzaar).

In any case, it is necessary for Muslims to take precaution against the evil from among man and jinn and the evil of Shaytaan, while at the time keeping full Imaan, reliance and trust in Allah. We should oppose this evil with the power of Duaa. Especially effective are Masnoon Duaa's taught to us by Rasulullah ρ.

Among these are: Regular recital of Surah Faatihah, Aayatul Kursi, Surah Ikhlaas, Surah Falaq and Surah Naas.

The following Duaas are also very useful:
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Take & 10 'o' (to translate ======) Scan & take from 'o'

Thus if anyone feels that a certain persons Nazr have befallen him, he should use the following Amal:

The person whose Nazr has fallen should gargle, then wash his face and arms and legs from the knee down into a container. Then he should wash his pants into this container as well in such a way that all the water collects in this container.

The victim should then pour this water over his back.
Insha-Allah he will be cured.

Alternately he may cure himself with the above mentioned Duaas May Allah protect all of us. Ameen

4.) Ambiyaa υ and children who have not reached puberty are not reckoned in the grave.

Question: Are Ambiyaa υ and minor children questioned in their grave? Please clarify the same with regard to the minor children and non-Muslims as well?
Answer: Ambiyaa υ and minor (naa-baligh) Muslim children are not questioned in their graves.
Ulama have not passed any verdict with regard to the children of non-Muslims and prefer to remain silent.
And Allah knows best (Shaami).

5.) Status of the sinless children of Muslims and non-Muslims in the hereafter.

Question: What will be the condition of sinless children of Muslims and non-Muslims in the hereafter?
Answer: The Ahlus-Sunnah hold that the children of the believers will be dealt with according to their parents.
Thus they will be buried according to Islaamic rites and they will enter Jannah with them.

“And those who believe and whose offspring follow them in faith, to them shall we join their offspring”
Surah Toor – Ayaat: 21
In the case where only one of the parents is a Muslim. The ruling shall be as above. The children of non-Muslims will be buried according to their own religious rites.

As with regard to their condition the Aakhirat (hereafter) there are several conflicting opinions. Thus it is best to leave the decision to Allah.

6.) The urine of little boys and girls.

Question: Is the urine of suckling infant's paak (clean) or not?
Answer: The urine of the above-mentioned is Najas (Impure).
Thus it will be necessary to wash soiled garments for them to become Taahir (pure).

However, the urine of a suckling baby will be of a lesser degree of Najaasat when compared to that of a weaned chilled. If it is washed "lightly" it will suffice. According to the Hanafi scholars, light washing will be necessary. Simply sprinkling water or pouring a glass of water over the soiled garments or buckling will not render it pure.

In some Ahadith, the word ('Rash') (to sprinkle water) has been mentioned. However, it will not suffice to do this because in several other narrations, the word "Ghusal" has been used clearly (i.e. to wash) Imam Muslim (R.A) has gathered all those narrations in his Kitaab. The same has also been recorded in I'laa-Us-Sunan on the authority of Asiha τ (vol 1 Pg 473) Check also Aathaar – us – Sunan vol 1 Pg17.

The Ahabith with the words Rash and Nadh (to sprinkle) will be interpreted to mean Ghusal (to wash) so as to combine all these Ahadith.
Due the narration of Ali τ in Saheeh Muslim pg 143, Asmaa τ's riwaayat in Tirmithi and Muslim Pg 140, it will be necessary to wash any garment soiled by urine. Merely splashing water over it will not suffice. And Allah knows best.

7.) If a child urinates in a Masjid

Question: If a child urinates in a Masjid, how should the soiled area be cleaned?
Answer: It is better not to take such young children to the Masjid at all. If however, due to some necessity a child has to be taken to the Masjid, then the parents should take all care and precaution over them. Make sure that they have been taken to the toilet before coming to the Masjid. If despite all of this, a child messes, it will be incumbent to clean the spoilt area (mat or carpets) thoroughly. It will be sinful to neglect it or just vacuum it lightly.

8.) Is your Wudhu gone after washing a child?

Question: Some of the ladies in our area maintain, that after washing a child (Instinja) it becomes necessary to renew ones Wudhu. Is this correct?
Answer: There are several views on this matter; each is supported by some proof or another.
The safest course in this case is to follow a Mujtahid. The verdict of the Hanafi scholars is that Wudhu does not break. This decision has been reached after gathering all the contradictory narrations without discarding any. This was also the practice of Sahabah τ in this Mas'alah. (For details, check Tirmithi Vol 1 Pg 309)

9.) If the urine of a child dries up on a bedding or carpet.

Question: Now and then my children mess the bedding and carpet in my room. At times, it dries up completely even before we realize it. As such, it is difficult to tell with certainty which parts have been soiled. We feel as if the entire carpet is impure. Is it permissible to walk on this carpet with wet feet and to sit on it or not?

Answer: If it has dried up in such a way that no stain shows, then although it in itself is impure. If you walk on it with dry or wet feet or sit on it, the impurity will not be transferred. If however, you walk on it with wet feet, or sit on a damp or wet cloth or towel so that the carpet (or bedding) gets wet, then the Naajaasat (Impurity) will be transferred to your foot/cloth. Then it will be necessary to wash the affected area for it to become pure.

To purify the carpet/bedding: Since you cannot tell with certainly which areas are soiled and which aren't, you will have to wash the entire thing three times and squeeze it out after each. In the case of a carpet that cannot be wringed, you will have to hang it out after each until it dries out. Until you have not cleaned it in this way, it is better for you to not use it at all.

Salaat on this carpet will not be valid.

10.) Touching the Quraan without Wudhu.

Question: Can children touch the Quraan without Wudhu?
Answer: To be in a state of Wudhu when touching the Quraan is necessary. This had been narrated in a Hadith by Amr bin Hazm τ. However, since children are not Mukallaf (accountable) in Islaam, it will be permissible for them to touch the Quraan without Wudhu. When they reach an age of understanding, they should be encouraged and taught to only touch the Quraan while in a state of Wudhu. They should also be taught to handle the Quraan with respect.

Masaail for a new born.

11.) Circumcision.

Question: What is circumcision?
Answer: Circumcision is Sunnah and from among the distinguishing signs of the believers. Rasulullah ρ said: "Five things are from Fitrah (natural disposition)." Then he mentioned circumcision as one of them (Bukhari). Another Hadith mentions it as the Sunnah of the Ambiyaa.

Circumcision is to remove the fore-skin of the penis.

This alone is sufficient. To burn the for-skin off or to remove any more than this is incorrect. We have been forbidden from mutilation in Deen.

Circumcision should be carried out after the seventh day of the child's birth. In the case of weakness of sickness, it may be delayed further. It is preferable to be done in the child's infancy, and should not be delayed until the child nears puberty because it is Haraam to look at the private parts of a person who is of age. The grandsons of Rasulullah ρ were circumcised on the 7th day (Buyhaqi)

There is no ceremony on this occasion in Islaam. Similarly to show off the circumcision to visitors is not correct. Uthman bin Ahlaas τ was invited to the "occasion of a child's circumcision." He said: "No such thing existed in the time of Rasulullah ρ"

To consider such a function as Sunnah would instead conversely be deemed an invitation (Bidah) and in Islaam, the worst sin after shirk (polytheism) is Bidah!!

12.) Being born circumcised in not the specialty of Ambiya!

Question: In 1405 Hijri, a child was born circumcision in the Zadhir Hospital in Makkah. I used to think that only Ambiya were born circumcised. How is this then when Rasulullahυ is the final Nabi?
Answer: Non Ambiya may be born like this. This is not a specialty to Ambiya.

13.) Circumcising a child after death.

Question: A father, on the death of his infant child, had the child circumcised for fear of not fulfilling this injunction, what should he do?
Answer: This action of his was out of ignorance! He should repent for this mistake. There is no Kaffarah (monetary penalty).

14.) Female carrying out duty of men.

Question: Can a female carry out circumcision?
Answer: She may carry out circumcision on children only.
In any case, for a male to do it would be better.

15.) Aqeeqah for a stillborn.

Question: Will Aqeeqah be carried out for a still born?
Answer: It is not necessary. It is not proven from Sunnah.

16.) Doing Aqeeqah for oneself or for a grown up.

Question: If person's parents did not do an Aqeeqah on his birth, then should he do an Aqeeqah for himself? If yes, then should he cut his hair as well?
Answer: Aqeeqah should be carried out on the seventh day after birth. If done later, then it should be done on every seventh day preferably (i.e. the 14th, 21th) it is not necessary for a grown up to do Aqeeqah. If perchance he does, then it is not necessary to cut his hair. However it is permissible for a grown up to do Aqeeqah for himself.

17.) Inviting people on the occasion of Aqeeqah.

Question: Is if permissible to invite people to a meal on the occasion of Aqeeqah?
Answer: To slaughter one sheep, one for the birth of a girl and 2 for a boy and then to distribute its meat as Hadya (gift) and Sadaqah (charity) is establish in Shareeat. To cook the meat and invite friends, relatives and needy to partake of it will be Jaa'iz (permissible) on condition that ones invitation is clear. There should be no other rituals or customs on this occasion.

18.) The importance of Aqeeqah.

Question: What is the Islaamic ruling regarding Aqeeqah?

Answer: It is Sunnah. Who can afford should certainly do it and if for some reason it is not, then there will be no sin. However, one will be deprived of its great reward. It should be carried out on the 7th, 14th or 21st day. To do it after this is Nafl (optional). Through the Barkat of Aqeeqah, Insha-Allah, the child will be saved from evil and calamities.

It is Sunnah to remove the hair of the child on the 7th day and give its equivalent weight in silver as Sadaqah. Then two sheep should be slaughtered for boy and one for girl. The child should be named on this day.

Aqeeqah is Sunnah for these who can afford it. If a poor person does it, it will be accepted on Sunnah.

19.) Which animal must be sacrifice?

Question: Can an animal with seven shares (e.g. cow) be used for Aqeeqah? Can such an animal be slaughtered on the birth of a son?
Answer: All those animals which may be slaughtered on Eid-ul-Adha will suffice for Aqeeqah. A Buffalo is among these animals.
In this way, a large animal (with seven shares) may be used for seven Aqeeqah, and if someone slaughters an entire such animal for his child, weather male or female, it will suffice.

20.) Combining an Aqeeqah in a Qurbani animal

Question: Can a person include a few shares for Aqeeqah on a Qurbani animal, e.g. 4 shares of Qurbani and 3 of Aqeeqah?
Answer: Yes it is permissible (Shaami).

21.) How to distribute the meat of Aqeeqah.

Question: Can the parent and grandparents receive a share of the Aqeeqah meat?

Answer: It is advised and preferable to give 1/3 of the meat to the poor. The remaining 2/3 may be distributed in any way.
If a person distributes all the meat among his relatives, or if he feeds them, even then it will be Jaa'iz. (Shaami)

22.) Some evil practices/customs on this occasion.

Question: In our area, there is a strange ritual associated with Aqeeqah. The women say that if a male child is born, then they will only carry out the Aqeeqah at a certain place, and the child's head will only be shaved there. Until then, it will be Haraam for them to eat meat. On the prescribed day, all the men and women proceed to that place while playing drums and other instruments. Please explain?
Answer: This in reality is a Hindu custom which has creped into Muslims of some areas. Since there are many evils included in this which can lead to the spoiling of ones Aqeeqah (belief, fundamentals), this act is Haraam. It is an innovation which could lead to Kufr! Some people believe that this child is due to the blessings of a certain saint. There are many other such strange and evil customs of this sort – Muslims should save themselves from this?

23.) The immediate duties of the parents on the birth of a child.

Question: On the birth of a child, what are the immediate duties of the parents? What are the Islaamic guidelines for us?
Answer: Briefly, they are as follows:
To give Adhaan in the ears of the child. Do this in the following way: Hold the child in ones lap facing Qiblah. Say the word of Adhaan softly in the right ear and the Iqaamah in the left ear.
Rasulullah ρ did this on the birth of his grandchildren. In another Hadith, it is mentioned that through this action, the child will be saved from evil affect of the Jinaat.

It is also recommended that the child be bathed either before or after the Adhaan.

A pious person should give the Adhaan, not a Faasiq (evil doer)
Ask a pious person to do Tahneek of the child e.g. he will chew a small date or something similar and then give it to the baby to suck on. He should then make Duaa for the child. It is hoped that the effect of the pious person will fall on the child.

To name the child is the right of the child. Therefore keep a good name. A good name will have a good affect on the character of the child.

Name the children as the slave of Allah (Abdullah) add Abd to one of the qualities of Allah – e.g. Abdul Azziz, or name them after any of the Ambiya or Sahaba. To carry out Aqeeqah on the 7^{th} day and to circumcise a male child.

24.) Salaat of a toddler.

Question: If a toddler performs Salaat, will he be rewarded?
Answer: A minor is not Mukallaf (accountable); hence they are not generally rewarded or punished for their actions.
According to the Ahnaaf (Hanafi Scholars) the parents will receive the reward.

25.) Can a person lead his minor (na-baligh) children in Salaat?

Question: I have three sons aged 9, 10, and 11. In winter due to extreme cold, I lead them in Fajr Salaat at home. Is this Jamaat valid?
Answer: A person may make Jamaat with na-baligh children.
It will be valid. Your Mahram womenfolk may even join the Jamaat. They should stand behind the children.

The proof of this is mentioned in Hadith that Rasulullah ρ led 2 small children in Salaat.

26.) Na-Baligh children going to the Eid-Gaah.

Question: On Eid- day, we find little children also coming to the Eid-Gaah (Musallah) for Eid Salaat. Most of them sit at the back or on the sides of the Saffs. Some perform Salaat in between the Saffs of the adults. Some behave themselves and others run a racket. What is the Shari (verdict) regarding this?
Answer: Children above the age of 7 should not be prevented from going to the Eid-Gaah. Rasulullahυ said "Encourage your children to perform Salaat from the age of 7, and beat then (lightly) if they neglect Salaat after the age of 10. These children should be thought the correct Adaab (etiquette and behavior) and taken to the Eid-Gaah for Salaat. They should be supervised by their parents or elder brothers.

Very naughty and very small children should not be taken to the Eid-Gaah.

27.) Children and the Masjid.

Question: Can children and insane people come to the Masjid?
Answer: They should not be brought to the Masjid. This is the responsibility of their guardians. It is not permissible for rowdy, mischievous children to be brought to the Masjid. Well-behaved children above the age of 7 may come to the Masjid; however it is better for them to perform Salaat at home. Children above the age of ten may come to the Masjid for Salaat. The children should stand on the sides of the Saffs or in a separate Saff behind the men.

28.) Children in Saffs of Adults

Question: Can children stand in the Saff of the adults?

I have heard that this spoils the Salaat of the adults.
Answer: The Sunnat method is for the children to form their Saffs behind the adults. Those who come late should then join the Saff of the children, to the left and right. Some people, instead of the joining the Saff, move the children back. Some even pick them up, off the ground and put them one two Saffs back. This is incorrect. Some people think that if a child stands between the adults, then the Salaat of the adults is not valid. This is not so. The Salaat of the adults will not be affected in any way.
It should be remembered that the Salaat of children, even though not fardh is still Salaat, to ruin their Salaat is not permissible. Just as it is not correct to interrupt an adult Salaat, it is not correct to interrupt a child's.

Fuqahaa (jurists) have written that if the children are put in a Saff behind the men, and there is the possibility of them playing around and making noise, then it is better to make stand in ones and twos on the sides of men's Saffs. Similarly, if there are only one or two children, and they stand in between the men, then this is totally permissible without any Karaahat (responsibility). Under no circumstances should the children be reprimanded or chased away. Instead they should be taught with love and affection.

29.) A person performing Jamaat with two children.

Question: If a person makes Jamaat with two children, how should they stand?
Answer: The children should stand in Saff behind him. If there isn't sufficient space, then they should stand slightly behind him to his right and left. If there is only one child, then he should stand to the Imaam's right, slightly behind him.

30.) Imaamate of a Naa-baligh child

Question: Can a child lead the adults in Salaat?

Answer: It is not permissible because the Fardh Salaat of a child is actually Nafl, (since Salaat is not fardh on him) and a person performing Nafl may follow an Imaam performing a fardh Salaat but not vice versa.
The Muqtadi (follower) must follow the Imaam in his actions and Niyyaes well. Thus a person performing a fardh Salaat cannot follow one performing Nafl due to difference in intentions (Niyyah). A person performing Nafl may follow one performing a fardh because of a fardh being "strong" or of higher status.

31.) The Janaazah of a miscarriage or stillborn.

Question: Will Janaazah Salaat be performed for a stillborn child or a miscarried foetus
Answer: Salaatul Janaazah is related to the worldly condition of a person. Hence it is only performed for a person who lived in the world, even if only for a few seconds. Thus there is no Salaat for a still born or missed foetus. If a newborn even takes one breath or whimpers, then Salaat will be performed.

32.) If a child is buried without performing its Salaatul Janaazah.

Question: Two of my children passed away a few minutes after birth. I was not present at that time. They were buried without any Salaat. What should I do?
Answer: Janaazah Salaat may be performed over their graves within 3 days. After this period there is no Salaat, nor any Kaffarah (monetary compensation), or anything else. One should make Tauba (seek repentance) for omitting the Janaazah Salaat.

33.) Enjoining Salaat on children at the age of 7.

Question: Rasulullahυ has ordered us to encourage our children to perform Salaat the age of seven. Is this on their turning seven or on the completion of the seventh year?
Answer: The words of the Hadith are i.e. "when they are seven years old". On the completion of the seventh year, a child's age will be 8.

34.) Salaat while children are playing.

Question: Whenever I perform my Salaat, my children play around me and even pass in from of me. This affects my concentration. Please advise me?
Answer: If possible, try to perform your Salaat in a secluded place and have someone to look after them. If this is not possible and there is danger of some harm coming to them, then perform your Salaat as you currently are.

35.) Performing Salaat before its time for children.

Question: Our children (aged 9 and 10) very often fall asleep before Esha. Can I make Jamaat with them immediately after Maghrib (before Esha time sets in) so that they don't miss their Esha?
Answer: It is not permissible in any instance to perform any Salaat before its time. This law pertains to adults and children alike. Try to keep them engaged in something or the other and as soon as the time sets in, have them perform their Salaat and put them off to sleep. And Allah knows best.

36.) Zakaat for an unborn child.

Question: A women is pregnant. The child she is carrying is the inheritor of some wealth. It is necessary to take out Zakaat?
Answer: Zakaat is only fardh on mature, sane adults. Further this child has not yet even entered the world!! There is no Zakaat on the wealth of children!!

37.) Zakaat of a child or insane person

Question: It is necessary to pay Zakaat from the wealth of a child or insane person?
Answer: No.

38.) Spending on an orphan from his/her wealth.

Question: Can guardians of an orphan use the orphans own wealth for his/her expanses?
Answer: Yes it is permissible. They may also invest its wealth for the child's benefit. And they should beware of usurping/destroying his/hers wealth as Allah has mentioned (Check Aaayat in Surah Nisaa: Ayaa no 6).

39.) Children and fasting.

Question: Should children be made to fast even though they are not of age?
Answer: Yes, they should be encouraged to fast even though it is compulsory on them. In this way, the capacity for performing good deeds will be created in them. They should be encourages gradually from a young age so that they are habituated before they reach maturity. Some people out of affection spoil the children and cry afterwards. Therefore, together with love and affection, parents must train their children from a young age and include then in good habits, respect and Islaamic values. One way is to awaken the children for Sehri, then allow them to fast for as long as they can manage and keep “2” fasts in one day. At the same time, children should not be forced to keep the full fast if they do not have the strength for it.

40.) How should children fast?

Question: How should children fast? Who will receive the reward?
Answer: They should fast the way adults do i.e. abstain from food, drink, fighting, swear etc. The child and its parents will be rewarded.

41.) Reward for fasting.

Question: Is it permissible to reward children on fasting?
Answer: Yes it is permissible, and it is a way of encouraging them. However, they should not be rewarded with Haraam things, or such things which will incline them towards Haraam.

42.) Hajj for children.

Question: Is Hajj fardh on children?
Answer: Hajj is not Fardh upon children who have not reached the age of Buloogh (maturity) or the age of fifteen. The Hajj of the child is counted as Nafl (optional) and the fardh Hajj of their will not be dispensed. He will have to perform another Hajj after maturity.

43.) The reward of a child's Hajj.

Question: Who will receive the reward of a child's Hajj?
Answer: Insha-Allah the parents will receive its full reward.

44.) The Ihraam of children.

Question: Who will a child perform Hajj? Should he wear the Ihraam?
Answer: The Hajj of a child, even though not fardh, is recognized (Saheeh) in Sharee'at. Therefore, all the Mansaasik (rites) of the child will have to be carried out. If for some reason the child is unable to do so (e.g. pelting of Jamaraat) then the guardian should do it on his behalf.

The child should don the Ihraam and the parent/guardian should see that the child abstains from all those things which are prohibited while in Ihraam. If perchance the child does commit any error, there will be no penalty (Damm or Kaffarah) liable. (Shaami vol 2 pg 466)

45.) Permission of the children for Hajj-Badal.

Question: I intend to do Hajj-e-Badal on behalf of my deceases uncle. Do I need permission of his children for this?
Answer: You may do Hajj on behalf of someone else on condition that you have carried out your own fardh Hajj. You do not have to take the permission of his family or children.

Regarding accidental death and its compensation (Kaffaarah)

46.) If a child accidentally strangles itself.

Question: Due to our negligence, our child lost her life. She was looking out of a window and swinging on the curtain. Somehow, she strangled herself (while playing) on the curtains draw string. We feel responsible. Are we sinful?
Answer: It is not your fault. This is an unfortunate accident. You are not responsible for her death. You do not have to pay any Kaffaarah (compensation) of any sort. May-Allah grant all of you Sabr and the best reward.

47.) If boiling water/tea falls on a child.

Question: My 11 year old daughter dropped tea on her younger sister causing intensive scolding. I was asleep at the time. Do I have to pay any Kaffaarah?
Answer: No, it was accidental.

48.) A mother put her child in a bag!

Question: A women put her child in a leather bag to sleep. The Arabs generally use this type thing (similar to a hammock). When she same to check on the child a little while later, the child had passed away!! Is she sinful? Does she have to pay Kaffaarah?
Answer: Because this type of hammock is generally used for the purpose of putting children to sleep, this woman will not be sinful and there will be no Kaffaarah. At the same time, we advise all mothers to take all precautions when putting their children off to sleep. Cot-deaths are becoming quite common. Sometimes, little babies roll over onto their faces and suffocate themselves.

49.) A mother rolled onto her child.

Question: A mother while asleep rolled onto her infant. The child passed away. What must she do?
Answer: The mother did not intentionally kill her child. What you have described is known as Qatle-Khata in Islaam i.e. unintentional

killing. She must make Taubah and Kaffaarah, it is Waajib on her. The Kaffaarah in this case will be to fast continuously for 2 months. If she is unable to do this, then she must feed 60 poor people 2 full meals.

If her in-laws insist, then the women's Aaqilah (family and tribe) will have to pay the child's "Diyat" (blood-money) and Allah knows best (Hidaayah and Shaami)

50.) A child falls into a man-hole.

Question: A women went out for some work, leaving her children alone at home. Her one year old ran out of the house while she was away and fell into an open man-hole and died. The company working in the area opened these holes but did not put any warning signs or preventive measures. Some of the workers saw the child falling in but did nothing to assist. What happens in this case? Is the mother to blame?
Answer: It is quite evident that the woman is not blame worthy in this matter. Very often woman go out for work leaving only their children at home. Hence there is no Kaffarah or Diyat upon her.

51.) A still born.

Question: A women worked very hard during her pregnancy. She even kept all her fasts in Ramadhaan. Consequently her child was still-born. She did not intend the death of the child. Is there any penalty upon her?
Answer: No. it cannot be said with certainty whether this woman's exertion was the direct cause of the child's or not. Thus she will be free of responsibilities. However, she should in future take precaution from over exerting herself, as this is harm-full both to the fetus as well as her own health.

52.) If a child runs into the path of a motor vehicle.

Question: A woman was out in the city with her child. She was holding the child by the hand then suddenly the child broke free and ran across the street directly into the path of an oncoming car. The child was killed instantly, the mother is blaming herself. What happens?
Answer: It is quite clear that this is not her fault. The child acted suddenly and could not be stopped. What was meant to happen has come to pass. May-Allah grant her Sabr.

53.) Regarding celebrating of birthdays.

Question: Celebrating birthdays, and especially children's birthdays is quite rife among Muslims. What is the Islaamic ruling?
Answer: The principal in Deen is Tauqeef i.e. to suffice on what has been relayed to us by Rasulullah ρ. Thus that which has not been ordained by Allah can never be part of Deen.
Rasulullah ρ has said: "every innovation in our mother (Islaam) will be rejected!"

The celebrating of birthdays will come under this ruling, since this is a newly formed custom. Hence it will not be permissible to host or attend such a party. In fact this is clearly the practice of the Jews, Christians and other non-Muslims.

These celebrations cannot be proven anywhere from the lives of Rasulullah ρ and his noble companions τ.

As Muslims we should realize that our standards and criteria for honor are clearly defined and very far removed from the despicable besides customs of the disbelievers.

54.) Birthday parties and Mustaababahat (imitating) of disbelievers.

Question: Is it permissible to celebrate children's birthdays. Will it fall under the scope of Tashabbbuh (resemblance) of western culture or is it merely "bringing joy to a child"?
Answer: Celebrations fall under one of categories, either Ibaadat (worship) or custom/ritual. If a person celebrates a birthday party as a form of Ibaadat, or thinking it to be something good in Deen then it will be classed as Bidah, and every Bidah is misleading and leads to hell. If it is celebrated as a mere "ritual" or "party", even then it will be said to be outside the stipulated perimeter of Islaam. In Islaamic culture and society, there are only two Eid (occasions). When Rasulullah ρ entered Madinah, the Ansaar used to celebrate two festivals/occasions. Rasulullah ρ abolished these 2 "parties" saying: "Allah has ordained for you (My Ummah) these two Eid which are best Eids?" i.e. Eid-ul-Fitr and Eid-ul-Adha.

Further, the celebrating of birthdays and other such parties bears a resemblance to the ways of the opponents of Islaam. These things never were a part of the Muslim lifestyle. Rather, they were inherited from other people. Similar is the case with singing "Happy Birthday" songs! –

Rasulullah ρ has very explicitly warned us: "Whoever imitates a nation will be counted as among them!"

A "birthday" is infact the passing of one year of life! In the words of Hadith: "The best of you is he who receives a long life in which he perfects his Amal (deeds) and the most wretched is he who receives a long life which he wastes away in evil!"

All of this, coupled with other evils would surely render such parties as impermissible! As Muslims should realize that our standards and

criteria for honor are clearly defined and very far removed from the despicable baseless customs of the disbelievers.

55.) Dressing children in fitting clothes. Regarding clothing and toys

Question: Nowadays, people in following trends dress their little girls in extremely tight and skimpy dresses and expose parts of their bodies. Girls very close to the age of maturity wear “pedal-pushes” and “nicer-bockers” is this permissible?
Answer: Allah Ta’aala has ordered woman to cover their bodies completely. Women have been ordered to wear loose fitting clothes that conceal the curves of the body completely. Very small girls (up to the age of 3 or 4) may wear the above mentioned types of clothing even though this is not advised. However, the moment they reach an age of understanding (about s) they should not be dressed in this way.

A girl who reaches the age of nine is termed “Muraahiqah” in Islaamic (i.e. very close to puberty); all the laws which apply to Baaligh (mature) girls will start applying to her. Hence it will not be Jaa’iz for them to dress like this. Taking into consideration the present-day sick society which we live in it would be advised to protect even little toddlers from this type of dress. This is as for permissibility/impermissibility goes. Coming to the more important matter of upbringing of children and including in them Islaamic ideals, children should not be dressed like this at al! From a young age, they should be dressed Islaamically so that from a young age a religious including is created in them. In this way a sense of pride (*will be installed in their hearts) and an aversion from western ideals (*).

This in turn, will contribute greatly to the protection of their Imaam and Islaam in years to come, whereas on the contrary, a simple

imitation of other nations in dress would most certainly lead to very dire consequences later on (as we are currently witnessing)
The importance of Islaamic upbringing in today's time can never be over-emphasized!!

56.) Covering the hair.

Question: My brother makes his 4 year old daughter wear a scarf or Dupitta. He says that children form habits from a young age. He wants me to do the same. I don't think it is necessary. Please guide me.
Answer: Your brother is quite correct in saying that habits form from childhood. In fact childhood habits and memories remain with a person forever. For this very reason Rasulullah ρ has laid such "emphasis" on their training and upbringing.

Even though the commandments of Satr do not apply to those young children, by you dressing them correctly from this age, they will understand this type of dress to be correct for them. If you do not train them like this, later on they will find it hard to adopt. Anyhow, you should start dressing them correctly from a young age, and at the latest, by the age of 9 or 10, they should be dressing according to Sharee'at willingly.
At the same time, you should not be so strict that they actually find it burdensome and cumbersome.

It is said of the daughter of Umm Darda τ that she would study at the age of 7 or 8 with the boys of her age while wearing a long cloak. However on reaching the age of 9, she was taken out of the children's class to study with the girls who were bigger than her.

57.) Clothing with animals pictures.

Question: It is permissible for children to wear clothed with pictures of animals, teddy-bears, cartoon characters and the like printed on them?
Answer: This type of clothing is Haraam for adults and children alike. In fact, pictures of animate objects in any form are forbidden in Islaam. Therefore Muslims should stay away from all such garments in totality.

In Muslim lands, it will be necessary to boycott all these brands of clothing so that the land becomes pure of all such filth!

Rasulullah ρ has in very severe words cursed the makers of pictures! The severest punishment on Qiyaamah is reserved for such people and the angels of mercy do not enter the home wherein there is a dog or picture. In the light of these Ahadith, pictures of living things, in any form will be said to be Haraam.
Buying and Selling of pictures are also forbidden.

58.) Who is sinful?

Question: A woman dresses her children un-Islaamically. The father although not happy about it, does not say anything. Is he equally sinful?
Answer: Both are equally sinful. The father is the head of the household. He must enforce the authority. This is Waajib!
The mother is also guilty of shirking her responsibilities and together with her personal sin, she is molding her child's mindset toward sin.

59.) Children's toys –

Question: Children very commonly play with types of dolls, soldiers, girls dolls, teddies, animals, cartoon characters, monsters and so forth, is this permissible?
Answer: For girls to play with “rag-dolls” wherein the human features are not clearly defined will be permissible e.g. if a little girl uses a small rectangular cushion as a doll and dresses it up etc. it is narrated that Aisha τ used to play with something like this. The dolls which line the supermarket shelves nowadays are most certainly Haraam. To create a statue or picture of any living creation of Allah is forbidden.

There are many alternatives to these, which children may play with.

General advice for parents

60.) Equality between the children.

Question: We have been commanded in Hadith "Fear Allah and maintain equality between your children" Is this a blanket rule? How does it fit in with Aayat of the Quraan "The male will receive the equivalent of two females" (Surah An-Nisaa)
Answer: It is necessary to understand the Hadith in its full context. Nu'maan Bin Basheerτ says: "My father once gave me a slave as a gift. My mother went and informed Rasulullah ρ who in turn asked him whether he had given such a Hadyah to each of his children or only to me. On being informed that only I was given a slave, Rasulullah ρ said the above words. The meaning of this Hadith is that it is Waajib to maintain equality between ones children during ones lifetime. To give advantage to some over others is not permissible. The Aayat which you have referred to is concerning inheritance. Some Ulamaa are of the opinion that it may refer to giving gifts etc. in ones lifetime as well. The verdict of the Hanafi Ulamaa is that it is necessary to maintain complete equality between the children in ones lifetime irrespective of gender or age. It may at times be permissible to give to some and not the other e.g. if one of the children is in dire need or greatly in dept; or if giving out something small which is of little value. However, when distributing ones land and wealth within ones lifetime, it will be necessary to give them all an equal share.

61.) Upbringing of children.

Question: How can we train our children to become good Muslims?
Answer: Upbringing of the children is the duty of the father primarily. Rasulullah ρ has said: "Each of you is responsible for his house-hold!" for this reason it is not permissible for women to come between the father and the children. Many women are guilty of shielding their children even when they are wrong. This is one of the main causes of spoiling them. The father must maintain his position of authority in the house. If he is too soft and loving, it will lead to great difficulty afterwards.

Coming to your question, Rasulullah ρ advised us to enjoin Salaat on our children from the age of 7, and to punish then on its neglect at the age of 10. In fact, this Hadith teaches us to start training our children from a young age, a child below the age of 10 should not be beaten as it serves no purpose. Exercise beating will create stubbornness. A parent in today's time must learn to "grow-up" with his children. Befriend them, play with them, and go on healthy outings together. Make the child love you and grow attached to you. Learn to communicate. Understand each other, be there for them. Advise them and guide them to understand the importance of Deen. Link them to the Masjid, and the gatherings of the Pious and the Ulamaa.

It is not permissible under any circumstances to beat your children severely. In extreme cases, a slight slap or two may be meted out.

Keep making Duaa to Allah for your children and the children of the Muslims as the Duaa of a parent for his children is seldom rejected.

62.) At what age to start teaching?

Question: At what age should we start teaching our children?
Answer: The Ta'leem (teaching) and Tarbiyat (nurturing) of children should start from the lap of the mother. A formal education will obviously start when the child is able to understand. Generally this is when the child is about 6 or 7 years old.

The greatest influence on a child's character is his home environment. As such children should be taught manners, cleanliness, and respect etc. from a very young age. A child should be taught to say the Kalimah as soon as he begins to speak. Ultimately, each child is an individual who has his or her own capacity and learning pace. Children are also great imitators. They learn from what they see around them. It is thus necessary above

everything else for the parents to set a practical example for their children.

They should also be taught the various Masnoon Duaas (i.e. for sleeping, eating, going to the toilet etc.) They can also be rewarded for doing good and reprimanded on doing something wrong. In this way they will be able to recognize between good and from bad.

When they are of age, they should be admitted into a primary Madrassah (Maktab). Here too, one should remember, that only a certain amount can be achieved in class. The classroom teaching has to be completed by a sound home environment. Many times, unfortunately we see a totally careless attitude in the parents. They leave their children to loiter around in the streets and mix with all and Sundry. It is from here that they pickup all sorts of bad habits and more often that not fall in to bad company. These kids in turn become a sauce of grief to their parents and a nuisance to society. Remember well! Each one is a shepherd over his flock and each one will have to render a full account thereafter.

63.) Cursing ones children.

Question: My wife is very ill-natured. She constantly shouts at the kids, she swears very often and on the slightest pretext curses them. If not screaming and shouting, then she'll be hitting them. As a result, the children have developed a disliking for her. I have tried to advise her but to not avail. What do I do?
Answer: Rasulullah ρ has said, "To curse a Mu'min is tantamount to killing!" in another Hadith it has been equated with Fisq (evil and shameless). To frequently swear and curse is the trait of Munaafiween.

This woman should repent from her misdeed and in future exercise control over her tongue. The husband should keep a check on her in

this regard. A sane woman will instead show love to her children and make Duaa for them.

64.) Beating an infant.

Question: I gave birth to my first child when I was sixteen. The child was always crying. These frustrations together with the strain of all my responsibilities lead me to beat the child. What should I do?
Answer: It is quite obvious, what has dawned upon you is that beating an infant serves no purpose. You should make Taubah and Isighfaar, and bring the child up correctly.

65.) Praying against ones child.

Question: Many people, due to their kids being out of control make Duaa against them. (E.g. for their death), what does Shareeat say in this regard?
Answer: Parents should overlook the children's faults. Children are bound to errors since they are not able to understand fully. They should show love and affection towards them.

Some people give vent to their frustration on innocent children. This is totally wrong. To curse them, wish for their death and so forth is incorrect. We have been forbidden from acting in anger. The outcome thereafter can be nothing but remorse. Allah forbid that such a Duaa should afflict the child.

66.) The right of custody.

Question: In the case of Talaaq, who has the right to custody?
Answer: The general law is that a girl will stay with the mother till the age of 9, and a boy till the age of 7. Thereafter the right passes to the father. The father will have to pay for maintenance and expenses throughout. If the parents, after separation, with mutual consent

decide otherwise, then they may some to some other agreement. In case of disagreement, then the above mentioned law will also be passed. In both instances, both the parents should not be so selfish as to cause their disagreement to affect the children. If the mother re-marries, then custody will automatically pass on to the father. In all instances, the well-being and welfare of the children should be taken into consideration.

67.) Dismay of the birth of a girl.

Question: Some people display sorrow and dismay on the birth of a girl. Some people vent their anger on the mother. We have even heard of instances leading to divorce! What is the Islaamic viewpoint?
Answer: The giver of children is Allah. To express sorrow on the birth of a girl is actually displeasure on the decree of Allah. Allah Ta'aala mentions: "It is He who grants male offspring unto whom He wills and female unto who He wills. To some He grants both and to others none!" - (Surah Jumar)

The reaction of these people in this instance stems from ignorance. It is quite apparent that girls will be born and it is impossible to change the decree of Allah! Further, it is logical that the perpetuation of the human-race is dependent on both sexes, and that each has its role. This is the law of Allah in all living things. Girls are an embodiment of peace, love and affection. The dismay of these people is nothing but a trait of Jaahiliyaat – Contrary to the foolish expectations of these people, very often we find girls to be a sauce of peace and coolness to their parents while many boys turn into nightmare.

68.) The disabled child.

Question: At times an unbecoming word of complaint escapes the lips of the parents of a disabled child. Is this sinful?

Answer: A Muslim must at all times be satisfied and pleased with the decision of Allah, he must have full conviction that everything is from Allah. Then he should exercise Sabr or express Shukr on his condition. In the above instance, it is only natural for the parents to be grieved. At times, due to the difficulties encounter, they may even become frustrated. Yet they should try to overcome this with Yaqeen and Sabr (fortitude) bearing in mind that Allah is fully aware of their condition and that He will reward them for all their effort and despair. At no point should they become despondent, as this will lead to anger and complaint against Allah. Allah never puts a person to test that is beyond their endurance and remembers that the help of Allah is with the weak.

70.) Gifts to a new-born.

Question: Is it permissible to give monetary gifts to children? Some people gave gifts on occasions (child-birth, weddings etc.) and expect the same in return. At times, they even include a note to this affect within the envelope. Is this permissible?
Answer: Giving of gifts is a commendable act in Deen. It creates love between people. Like this to give gifts on the occasion of both births of a child or to a new couple goes a way in assisting them and as such is a good act. However, ownership of money received on the birth of a child must be clarified. If the money was given to the parents, then well and good, but if the gift was addressed to the child, then it will not be permissible for them to use it for anything besides the child's expenses. What you have mentioned about expecting something in return and so forth, these things are baseless and should be stopped.

71.) When to give the Adhaan.

Question: Should the Adhaan be given in the ear of the child immediately after birth or on the 7th day? When should the name be given?
Answer: Adhaan should be given after birth. It is Mustahab to keep the name on the 7th day. To give a name before or after the 7th is the name of Ibraahim τ, the son of Rasulullah ρ was kept on the 1st day.

72.) Piercing the ears and nose.

Question: Is it Jaa'iz to pierce girl's ears and/or nose. When should it be done?
Answer: Yes it is permissible. Women used to wear earrings in the time of Rasulullah ρ. It can be done at any time provided that the child is able to bear it. It is Haraam for boys.

73.) What is Marfoolul Qalam?

Question: It is mentioned that 3 people are Murfoo'ul Qulam 1.) One who is asleep until he wakes up, 2.) A child until maturity, 3.) An insane person until he comes to his senses. What is the meaning of Mafoo'ul Qalam?
Answer: If a person in one of these three states causes harm to someone's life or property they will not be sinful. However, it will be necessary for them or their guardians to compensate for any losses or damages. This is with regard to Huqaaq-ul Ibaad. Any shortfalls pertaining to Huqooq-Ullah (the rights due to Allah) will be overlooked.

74.) A blind Guardian.

Question: Can a blind person become a guardian over a child?
Answer: If he is able to maintain the child properly then yes, and if not, then the right of guardianship will pass on to the next closest relative.

75.) Who receives the rewards of the righteous acts the immature child?

Question: Who receives the rewards of the righteous acts of the immature child? Is it the parents or the child?
Answer: The reward is received by the parents, for the immature child is not responsible or accountable. Thus there is no consequence of the reward OR punishment. It is stated in a Hadith that a woman came with her child to Nabi ρ and asked: "Oh Rasul of Allah, will his Hajj be made?" He replied: "Yes and you will receive the reward."
That is why the Hanafi Fuquaa are unanimous on this law that the reward of the good righteous acts of the immature child is rewarded by the parents- (as recorded in Fiqh) – Allah knows best.